

# HOUSE BILL No. 1363

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-30-2; IC 20-43-3-4.

**Synopsis:** School calendar. Requires, beginning with the 2017-2018 school year, a school corporation to conduct at least 175 student instructional days in a school year. (Currently, a school corporation is required to conduct at least 180 student instructional days.) Provides, beginning with the 2017-2018 school year, that student instructional days begin the Tuesday after Labor Day (the first Monday in September) and end the Friday before Memorial Day (the last Monday in May). Repeals sections concerning a penalty for conducting fewer than 180, but more than 175, student instructional days and deletes a reference to one of those sections in the tuition support calculations.

**Effective:** July 1, 2016.

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January 12, 2016, read first time and referred to Committee on Education.

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Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## HOUSE BILL No. 1363

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-30-2-3, AS ADDED BY P.L.1-2005, SECTION  
2       14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3       2016]: Sec. 3. **(a)** For each school year, a school corporation shall  
4       conduct at least one hundred eighty (180) student instructional days.  
5       Not later than June 15 of each school year, the superintendent of each  
6       school corporation shall certify to the department the number of student  
7       instructional days conducted during that school year.

8       **(b) Beginning with the 2017-2018 school year, for each school**  
9       **year, a school corporation shall conduct at least one hundred**  
10       **seventy-five (175) student instructional days. Not later than June**  
11       **15 of each school year, the superintendent of each school**  
12       **corporation shall certify to the department the number of student**  
13       **instructional days conducted during that school year.**

14       SECTION 2. IC 20-30-2-3.5 IS ADDED TO THE INDIANA CODE  
15       AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
16       1, 2016]: Sec. 3.5. **(a) This section applies only to a collective**  
17       **bargaining agreement between a school employer (as defined in**



1 IC 20-29-2-15) and an exclusive representative that goes into effect  
2 after June 30, 2017.

3 (b) This section applies only to a contract entered into or  
4 renewed by a governing body that goes into effect after June 30,  
5 2017.

6 (c) This section does not apply to a nonpublic school.

7 (d) Beginning with the 2017-2018 school year, the student  
8 instructional days that make up a school year shall:

9 (1) begin the Tuesday after Labor Day, the first Monday in  
10 September; and

11 (2) end the Friday before Memorial Day, the last Monday in  
12 May, of the following year.

13 SECTION 3. IC 20-30-2-4 IS REPEALED [EFFECTIVE JULY 1,  
14 2016]. Sec. 4: If a school corporation fails to conduct the minimum  
15 number of student instructional days during a school year as required  
16 under section 3 of this chapter, the department shall reduce the August  
17 tuition support distribution to that school corporation for a school year  
18 by an amount determined as follows:

19 STEP ONE: Determine the remainder of:

20 (A) the amount of the total tuition support allocated to the  
21 school corporation for the particular school year; minus

22 (B) that part of the total tuition support allocated to the school  
23 corporation for that school year with respect to student  
24 instructional days one hundred seventy-six (176) through one  
25 hundred eighty (180):

26 STEP TWO: Subtract the number of student instructional days  
27 that the school corporation conducted from one hundred eighty  
28 (180):

29 STEP THREE: Determine the lesser of five (5) or the remainder  
30 determined under STEP TWO:

31 STEP FOUR: Divide the amount subtracted under STEP ONE(B)  
32 by five (5):

33 STEP FIVE: Multiply the quotient determined under STEP FOUR  
34 by the number determined under STEP THREE:

35 STEP SIX: Subtract the number determined under STEP THREE  
36 from the remainder determined under STEP TWO:

37 STEP SEVEN: Divide the remainder determined under STEP  
38 ONE by one hundred seventy-five (175):

39 STEP EIGHT: Multiply the quotient determined under STEP  
40 SEVEN by the remainder determined under STEP SIX:

41 STEP NINE: Add the product determined under STEP FIVE to  
42 the product determined under STEP EIGHT:



1 SECTION 4. IC 20-30-2-5 IS REPEALED [EFFECTIVE JULY 1,  
2 2016]. Sec. 5: The department may grant a waiver of the penalty  
3 imposed under section 4 of this chapter for a particular number of  
4 canceled student instructional days if:

- 5 (1) the school corporation applies to the department for a waiver  
6 of the penalty imposed under section 4 of this chapter for a  
7 specific number of canceled student instructional days; and  
8 (2) each of the particular number of student instructional days  
9 requested to be waived under this section was canceled due to  
10 extraordinary circumstances.

11 SECTION 5. IC 20-30-2-6 IS REPEALED [EFFECTIVE JULY 1,  
12 2016]. Sec. 6: The department shall develop guidelines for school  
13 corporations to apply for a waiver under section 5 of this chapter.

14 SECTION 6. IC 20-43-3-4, AS AMENDED BY P.L.213-2015,  
15 SECTION 211, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) This subsection applies to the  
17 determination of a school corporation's previous year's revenue for  
18 purposes of determining distributions under this article. A school  
19 corporation's previous year revenue equals the amount determined  
20 using the following formula:

21 STEP ONE: Determine the school corporation's basic tuition  
22 support actually received for the state fiscal year that immediately  
23 precedes the current state fiscal year.

24 STEP TWO: Subtract from the STEP ONE result an amount equal  
25 to the reduction in the school corporation's state tuition support  
26 under any combination of subsection (b). or IC 20-30-2-4.

27 (b) A school corporation's previous year revenue must be reduced  
28 if:

- 29 (1) the school corporation's state tuition support for special  
30 education or career and technical education is reduced as a result  
31 of a complaint being filed with the department after December 31,  
32 1988, because the school program overstated the number of  
33 children enrolled in special education programs or career and  
34 technical education programs; and  
35 (2) the school corporation's previous year revenue has not been  
36 reduced under this subsection more than one (1) time because of  
37 a given overstatement.

38 The amount of the reduction equals the amount the school corporation  
39 would have received in state tuition support for special education and  
40 career and technical education because of the overstatement.

